

**Remarks/Arguments**

5

**Claim Rejections****Examiner:**

Claims 1, 6-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Weber (6,067,618). Claims 2-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weber as applied to claim 1 above, and further in view of Gharda (6,009,520). Weber teaches a dual operating system as discussed in claim 1 but does not specifically talk about the use of flash memory. Gharda teaches the use of a computer system wherein the memory is a flash memory for storing data required by the application program. It would have been obvious to one skilled in the art to add the teachings of Gharda to Weber to ensure the memory is used in the most efficient way.

20

**Response:**

Fig.1 of Weber discloses a computer system having a CPU 10 connected to a ROM BIOS 20, and two hard drives 54, 25 56 connected to the CPU via a host adapter 50. Weber teaches in Col.8, lines 8-13 "assume that hard drive number 0 [54] has Microsoft Windows-95 installed, together with miscellaneous application programs and games. Concurrently, hard drive number 2 [56] has a version of UNIX (or LINUX) 30 installed, together with UNIX-specific application programs."

Claim 1 has been amended to include the limitation of a non-volatile memory comprising a BIOS, a first operating system, and a first application program. This structure is clearly different from that of Weber where the BIOS 20  
5 is not comprised by the same non-volatile memory as is Microsoft Windows-95 (or UNIX) and related applications, which are stored on a hard disk 54 or 56. Although both the operating system and the BIOS of Weber may load and operate from the DRAM BANK 12-1, 12-2, they are never taught or suggested as residing in the same non-volatile memory as is claimed by the present invention (MPEP 2143.03). This limitation is clearly supported by the third paragraph of the "Detailed Description of the Preferred Embodiment" section of this application. No new material has been  
10 introduced. Storage of the first operating system and the first application in the non-volatile memory comprising the BIOS provides the present invention benefit of shorter loading times due to faster accessing speeds of non-volatile memories when compared with access speeds of a hard disk.  
15

20

Furthermore, it is not obvious to modify the teachings of Weber to meet the claimed limitation. To do so would change the reference device's principle of operation (MPEP 2143.01) by no longer allowing the user to "select between code incompatible operating systems with absolutely no possibility for cross talk or binary corruption between the operating systems and any of the operating system's program files" (Col.8, lines 13-18).

25

30

The present invention allows a user needing only basic data to swiftly load from a non-volatile memory a first operating system capable only of running a first application

program for providing the data, saving the user time. Non-limiting examples of such applications would include a "calendar, phone book, memorandum, or other application program" (Paragraph 6 of the "Detailed Description"). On 5 the other hand, the user is also able to select a standard operating system when desired.

The Applicant believes that the present invention provides a new and useful device structurally and 10 functionally different from teachings or suggestions found in the cited prior art. Because the allowability of claims 2-9 ultimately depends upon the allowability of claim 1, reconsideration and swift allowance of claims 1-9 is respectfully requested.

15

#### **Introduction of New Claims**

Please accept for consideration new claims 10-12. Claim 20 10 is independent and claims 11-12 dependent thereon. No new material has been introduced. In addition to the arguments made above concerning claim 1, claim 10 comprises the limitations of "the second operating system being capable of writing data into or reading data from the 25 non-volatile memory" (which comprises the BIOS and the first operating system) and a switch for selecting to load either the first operating system or the second operating system. If the hard disks of Weber are completely isolated from one another, it seems impossible for the second operating 30 system to write to the hard disk containing the first operating system.

Winston Hsu

Date: 4/21/2004

- 5 Winston Hsu, Patent Agent No.41,526  
P.O. BOX 506  
Merrifield, VA 22116  
U.S.A.  
e-mail: winstonhsu@naipo.com.tw
- 10 (Please contact me if you need a telephone communication and I will return  
your call promptly.)

15